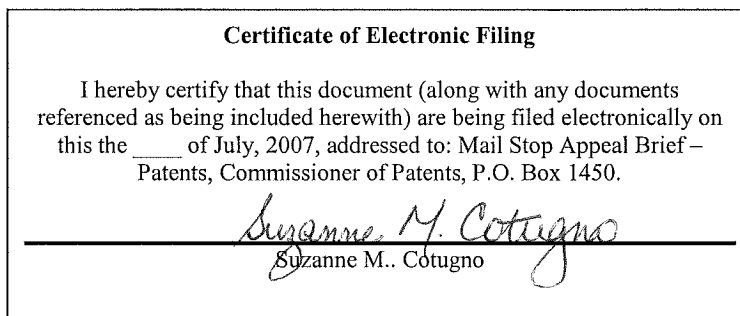


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Boyle, et al. Attorney Docket: 6006-107
Serial No.: 10/672,695 Examiner: C. Prone
Filed: September 26, 2003 Art Unit: 3738
Confirmation No.: 9286 Customer No.: 29,335
Title: Implantable Graft and Methods of Making Same



Mail Stop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed on June 19, 2007, Applicants telephoned and spoke with Examiner Prone on July 18, 2007.

In the Notification of Non-Compliant Appeal Brief, the Examiner alleged in Section 10 that the Appeal Brief's "summary of claimed subject matter refers to page numbers that do not exist in the specification. The specification currently has 23 pages, but the appeal brief references pages 22-31." Contrary to the Examiner's assertion, the specification does in fact have 32 pages. Therefore, Applicants' reference to pages 22-31 of the specification is proper. Applicants believe the Examiner may have inadvertently reviewed a wrong file.

On July 18, 2007 during a telephone discussion with the undersigned, the Examiner acknowledged that the above-identified patent application's specification does in fact have 32 pages. In addition, the Examiner confirmed that the objection raised in Section 10 of the Notification of Non-Compliant Appeal Brief directly referred to the objection raised in Section 4. At the conclusion of the telephone discussion, the Examiner acknowledged that the Notification of Non-Compliant Appeal Brief was erroneously issued.

Applicants thank the Examiner for discussing this matter with the undersigned on July 18, 2007. Applicants enclose herewith the Appeal Brief, as originally filed on February 20, 2007. Should the Examiner believe that there are any outstanding matters capable of resolution by a telephone interview, the Examiner is encouraged to telephone the undersigned attorney of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. J. Lee' with a stylized flourish at the end.

Paul J. Lee
Reg. No. 52,420

July 19, 2007

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